

BENJAMIN B. WAGNER
United States Attorney
SAMANTHA S. SPANGLER
Assistant U.S. Attorney
501 I Street, Suite 10-100
Sacramento, California 95814
Telephone: (916) 554-2792

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:98-cr-171 GEB
)	
Plaintiff,)	ORDER GRANTING DEFENDANT BETTE
)	A. ROSEN'S REQUEST AND DENYING
v.)	DEFENDANT DANIEL G. ROSEN'S
)	REQUEST FOR RETURN OF PASSPORT
DANIEL GREGORY ROSEN, et al.,)	
)	
Defendants.)	
)	

This matter is before the Court on the motion of defendants Daniel Gregory Rosen and Bette A. Rosen for the return of their passports. On June 29, 2009, the government filed a brief objecting to the release of Daniel Rosen's request, while it did not object to Bette Rosen's request; however, the government pointed out that the clerk's docket did not indicate the issuance of a receipt for Bette Rosen's passport.

Following a 24-day trial in February, March, and April 2000, the jury returned verdicts of guilty on all charges against both Mr. and Mrs. Rosen on April 24, 2000. C.R. 301, 304, 312. On July 14, 2000, Mrs. Rosen was released from custody as part of the parties' stipulation reducing her charges. C.R. 353, 355. Mrs. Rosen was

1 sentenced on September 22, 2000. C.R. 377, 392. On July 21, 2003,
2 she was discharged from probation. C.R. 669

3 Mr. Rosen was sentenced on October 13, 2000. C.R. 397, 408.
4 The prosecutor could find no order exonerating Mr. Rosen's bail.

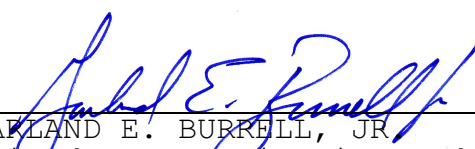
5 Mr. Rosen' request for the return of his passport is premature.
6 He is still serving his federal prison sentence. He still faces a
7 term of supervised release, during which his travel outside the
8 country will be prohibited or restricted. His bail has not been
9 exonerated.

10 The Court has determined, with the assistance of the Probation
11 Department, that the clerk is, in fact, in possession of Bette
12 Rosen's passport. She is entitled to its return.

13 Therefore, for the foregoing reasons,
14 the Court GRANTS defendant Bette Ann Rosen's request for the
15 return of her passport,
16 and DENIES defendant Daniel Gregory Rosen's request at this
17 time.

18 IT IS SO ORDERED.

19 Dated: February 10, 2010

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22 GARLAND E. BURRELL, JR.
United States District Judge
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